

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

UNITED STATES OF AMERICA)	
)	
v.)	
	)	CRIMINAL NO. 2:02CR
CHRISTOPHER ANTHONY CARUSO,)	
(Counts 1 - 5)	)	21 U.S.C. § 846
	)	Conspiracy to Distribute
Defendant.	)	and Possess With Intent
	)	to Distribute MDMA
	)	(Count 1)
)	
	)	21 U.S.C. § 841(a)(1)
	)	Distribution of MDMA
	)	(Counts 2 - 5)
)	
	)	21 U.S.C. § 853
	)	Forfeiture Allegation

JULY 2002 TERM - At Norfolk

INDICTMENT

COUNT 1

THE GRAND JURY CHARGES THAT:

From in or about July 2001, the exact date being to the Grand Jury unknown, and continuously thereafter up to and including the date of this indictment, at Virginia Beach, Virginia, in the Eastern District of Virginia, and elsewhere, CHRISTOPHER ANTHONY CARUSO, the defendant herein, did unlawfully, knowingly and intentionally combine, conspire, confederate and agree together with other persons to the grand jury both known and unknown to commit the following offenses against the United States:

1. To knowingly, intentionally and unlawfully distribute a quantity of a mixture or substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

2. To knowingly, intentionally and unlawfully possess with the intent to distribute a quantity of a mixture or substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).

WAYS, MANNER AND MEANS TO ACCOMPLISH THE CONSPIRACY

The ways, manner and means by which this purpose was carried out included but were not limited to the following:

1. It was part of the conspiracy that the defendant and unindicted co-conspirators would and did play different roles, take upon themselves different tasks and participate in the affairs of the conspiracy through various criminal acts. The defendant and unindicted co-conspirators would and did make themselves and their services available at various times throughout the conspiracy and would participate in selected narcotic distribution ventures on an "as needed" basis. Certain roles assumed by the defendant and other unindicted co-conspirators were interchangeable at various times throughout the conspiracy. Roles which the defendant and unindicted co-conspirators assumed and carried out included, among others:

organizer, manager, supervisor, supplier, distributor, courier and runner.

2. It was further a part of the conspiracy that the defendant and unindicted co-conspirators would and did derive substantial income and gross receipts from their unlawful activities, that is, the primary object was to make money through their illegal drug dealing.

3. It was further a part of the conspiracy that the defendant and unindicted co-conspirators would and did supply and furnish to each other quantities of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance, for distribution by the defendant and unindicted co-conspirators on both a consignment and cash basis, and for personal use, in Virginia Beach, Virginia, within the Eastern District of Virginia and elsewhere.

4. It was further a part of the conspiracy that the defendant and unindicted co-conspirators would and did possess and use, and at times distribute to other users, both for compensation and as a courtesy, Marijuana, Cocaine, Ketamine, and Psilocybin, all controlled substances, at various times and locations.

5. It was further a part of the conspiracy that the defendant and co-conspirators would and did utilize various locations such as houses, apartments, businesses and the open air areas adjacent to such locations to store, possess and distribute Ecstasy, including but not limited to the following:

- (a) parking lot of Kelly's Restaurant,
1936 Laskin Road,
Virginia Beach, Virginia;

- (b) parking lot of Village Inn Restaurant,
313 Independence Boulevard,
Virginia Beach, Virginia;
- (c) parking lot of Seven-Eleven store,
2256 Redtide Road,
Virginia Beach, Virginia;
- (d) parking lot of Texaco Gas Station,
1600 General Booth Boulevard,
Virginia Beach, Virginia;
- (e) Premium Auto Sales,
6328 East Virginia Beach Boulevard,
Norfolk, Virginia;
- (f) 3820 Betsy Crescent,
Virginia Beach, Virginia; and
- (g) 1564 Magellan Court, Apartment 102,
Virginia Beach, Virginia.

6. It was further a part of the conspiracy that the defendant and unindicted co-conspirators would and did use various methods to conceal the conspiracy and their unlawful drug activities and to insure the conspiracy's continuing success, including but not limited to:

- (a) utilizing coded language and slang terms to discuss narcotics transactions; and
- (b) using cellular telephone and electronic pagers.

7. It was further a part of the conspiracy that CHRISTOPHER ANTHONY CARUSO served as a distributor within the conspiracy.

OVERT ACTS

In furtherance of the conspiracy and to accomplish one or more of the purposes thereof, the following overt acts, among others, were committed in the Eastern District of Virginia and elsewhere:

1. On or about January 5, 2002, at 3820 Betsy Crescent, in Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained approximately 4 vials of Ketamine and 50 tablets of Ecstasy from an unindicted co-conspirator.

2. On or about January 7, 2002, at 3820 Betsy Crescent, in Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained approximately 100 tablets of Ecstasy from an unindicted co-conspirator, paying approximately \$12 per tablet for the Ecstasy.

3. On or about January 7, 2002, at 6328 East Virginia Beach Boulevard, in Norfolk, Virginia, CHRISTOPHER ANTHONY CARUSO and an unindicted co-conspirator obtained approximately 100 tablets of Ecstasy from an unindicted co-conspirator.

4. On or about January 9, 2002, at 3820 Betsy Crescent, in Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO purchased approximately 200 tablets of Ecstasy from an unindicted co-conspirator, paying the unindicted co-conspirator approximately \$12 per tablet for the Ecstasy.

5. On or about January 11, 2002, at 3820 Betsy Crescent, in Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained approximately 50 tablets of Ecstasy from an unindicted co-conspirator for approximately \$14 per tablet. CHRISTOPHER ANTHONY CARUSO then

sold the 50 tablets of Ecstasy and approximately one-half ounce of cocaine to another co-conspirator.

6. On or about January 11, 2002, in Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained approximately 300 tablets of Ecstasy from an unindicted co-conspirator.

7. On or about January 12, 2002, at approximately 1:30 a.m., at the Seven-Eleven store parking lot, 2256 Redtide Road, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO sold approximately 10 tablets of Ecstasy to an undercover law enforcement officer in exchange for \$200 U.S. currency.

8. On or about January 12, 2002, at 3820 Betsy Crescent, Virginia Beach, Virginia, an unindicted co-conspirator and CHRISTOPHER ANTHONY CARUSO obtained 450 tablets of Ecstasy on consignment. CHRISTOPHER ANTHONY CARUSO then obtained 200 of the Ecstasy tablets from the unindicted co-conspirator at a cost of \$11 per tablet.

9. On or about January 18, 2002, at 3820 Betsy Crescent, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained approximately 200 tablets of Ecstasy from an unindicted co-conspirator at a cost of \$11 per tablet.

10. On or about January 18, 2002, at approximately 7:45 p.m., at the Village Inn Restaurant parking lot, 313 Independence Boulevard, Virginia Beach, Virginia, an unindicted co-conspirator and CHRISTOPHER ANTHONY CARUSO sold 201 tablets of Ecstasy to an undercover law

enforcement officer in exchange for \$2,500 U.S. currency.

11. On or about January 19, 2002, at 3820 Betsy Crescent, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained between 100 and 150 tablets of Ecstasy from an unindicted co-conspirator at a cost of \$11 per tablet.

12. On or about January 19, 2002, at approximately 7:30 p.m., at the Kelly's Restaurant parking lot, 1936 Laskin Road, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO sold 20 tablets of Ecstasy to an undercover law enforcement officer in exchange for \$300 U.S. currency.

13. On or about January 22, 2002, at 3820 Betsy Crescent, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO obtained approximately 100 tablets of Ecstasy from an unindicted co-conspirator at a cost of \$11 per tablet. During the transaction, CHRISTOPHER ANTHONY CARUSO sold the unindicted co-conspirator and an associate two (2) eight-balls (one-eighth ounce quantities) of cocaine for \$150 each, for a total of \$300 U.S. currency.

14. On or about January 25, 2002, at a gas station in the Hilltop area, in Virginia Beach, Virginia, an unindicted co-conspirator obtained approximately 400 tablets of Ecstasy from another co-conspirator.

15. On or about January 23, 2002, in Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO negotiated and agreed to sell between 100 to 200 tablets of Ecstasy to an undercover law enforcement officer.

16. On or about January 25, 2002, at approximately 10:45 p.m., at the Kelly's Restaurant parking lot, 1936 Laskin Road, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO distributed 200 tablets of Ecstasy to an undercover law enforcement officer.

17. On or about January 25, 2002, at approximately 10:45 p.m., at the Kelly's Restaurant parking lot, 1936 Laskin Road, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO and an unindicted co-conspirator possessed approximately 200 tablets of Ecstasy with the intent to distribute the Ecstasy to an undercover law enforcement officer later that evening at the Village Inn Restaurant.

18. On or about January 25, 2002, at approximately 10:45 p.m., at the Kelly's Restaurant parking lot, 1936 Laskin Road, Virginia Beach, Virginia, CHRISTOPHER ANTHONY CARUSO possessed approximately 47.7 grams of marijuana, scales, plastic bags, a smoking pipe, and \$655 U.S. currency.

19. On or about January 26, 2002, at 1600 General Booth Boulevard, Virginia Beach, Virginia, an unindicted co-conspirator possessed approximately 90 tablets of Ecstasy.

20. On or about January 26, 2002, at 1564 Magellan Court, Apartment 102, Virginia Beach, Virginia, an unindicted co-conspirator possessed approximately 242 tablets of Ecstasy.

(All in violation of Title 21, United States Code, Sections 846 and 841(a)(1) and (b)(1)(C).)

COUNT 2

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 12, 2002, at Virginia Beach, Virginia, in the Eastern District of Virginia, CHRISTOPHER ANTHONY CARUSO, the defendant herein, did unlawfully, knowingly, and intentionally distribute 10 tablets of a mixture and substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).)

COUNT 3

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 18, 2002, at Virginia Beach, Virginia, in the Eastern District of Virginia, CHRISTOPHER ANTHONY CARUSO, the defendant herein, did unlawfully, knowingly, and intentionally distribute, and did aid and abet the distribution, of 201 tablets of a mixture and substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2.)

COUNT 4

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 19, 2002, at Virginia Beach, Virginia, in the Eastern District of Virginia, CHRISTOPHER ANTHONY CARUSO, the defendant herein, did unlawfully, knowingly, and intentionally distribute 20 tablets of a mixture and substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).)

COUNT 5

THE GRAND JURY FURTHER CHARGES THAT:

On or about January 25, 2002, at Virginia Beach, Virginia, in the Eastern District of Virginia, CHRISTOPHER ANTHONY CARUSO, the defendant herein, did unlawfully, knowingly, and intentionally distribute 200 tablets of a mixture and substance containing a detectable amount of 3,4-methylenedioxymethamphetamine (MDMA), commonly known as Ecstasy, a Schedule I controlled substance.

(In violation of Title 21, United States Code, Section 841(a)(1) and (b)(1)(C).)

FORFEITURE ALLEGATION

THE GRAND JURY FURTHER CHARGES THAT:

The defendant, CHRISTOPHER ANTHONY CARUSO, if convicted of the violations alleged in Count One of the Indictment, namely conspiracy to distribute and possess with the intent to distribute 3,4-methylenedioxymethamphetamine (MDMA), which is commonly known as Ecstasy, a Schedule I controlled substance, or in Counts Two through Five of the Indictment, namely distribution of 3,4-methylenedioxymethamphetamine (MDMA), which is commonly known as Ecstasy, a Schedule I controlled substance, shall forfeit to the United States:

1. any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as the result of such violation; and

2. any of the defendant's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation.

(In violation of Title 21, United States Code, Section 853.)

A TRUE BILL.

F O R E P E R S O N

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